

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 8/30/2021**

MARIA TORRES,

Plaintiff,

v.

NEW YORK UNIVERSITY HOSPITAL,

Defendant.

21-CV-7228 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff Maria Torres brings this action on behalf of her mother, Rosa Pena, against Defendant New York University Hospital. Ms. Torres alleges that Defendant, without explanation, denied Ms. Pena potentially life-saving treatment in the form of a dialysis procedure known as CRRT.

Ms. Torres is the only person to have signed the complaint, the notice of motion for an “emergency hearing to save life of Rosa Pena,” and the declaration in support of that motion. The Court therefore understands that Ms. Torres is the only plaintiff in this action and is asserting claims on behalf of Ms. Pena.

The statute governing appearances in federal court, 28 U.S.C. § 1654, “allow[s] two types of representation: that by an attorney admitted to the practice of law by a governmental regulatory body, and that by a person representing himself.” *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007) (internal quotation marks omitted). “The statute does not permit unlicensed laymen to represent anyone else other than themselves.” *Id.* (internal quotation marks omitted); *see, e.g., Iannaccone v. Law*, 142 F.3d 553, 558 (2d Cir.1998) (“[B]ecause *pro se* means to appear for one's self, a person may not appear on another person's behalf in the other's cause.”).

Plaintiff has not alleged that she is an attorney, or that her mother is incompetent. Accordingly, because Plaintiff may only represent herself *pro se*, she may not bring this action on behalf of her mother. The Court thus dismisses all claims that Plaintiff asserts on behalf of Ms. Pena without prejudice to refiling this action with the representation of counsel in this Court, or in state court.

Should Plaintiff need assistance, she may wish to consult the New York Legal Assistance Group's legal clinic for *pro se* litigants, by visiting its website at nylag.org/pro-se-clinic/ or by calling (212) 659-6190. This clinic, which is neither part of nor run by the Court, assists *pro se* litigants with federal civil cases.

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff. In light of the time-sensitivity of this matter, the Court will also e-mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: August 30, 2021
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', with a long horizontal flourish extending to the right.

Ronnie Abrams
United States District Judge